

P-999/CI-88-917 ORDER EXTENDING WAIVER OF SUB-CARRIER
IDENTIFICATION REQUIREMENT

BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION

Don Storm	Chair
Tom Burton	Commissioner
Marshall Johnson	Commissioner
Cynthia A. Kitlinski	Commissioner
Dee Knaak	Commissioner

In the Matter of Applications to
Provide Alternative Operator
Services Minnesota

ISSUE DATE: December 3, 1993

DOCKET NO. P-999/CI-88-917

ORDER EXTENDING WAIVER OF SUB-
CARRIER IDENTIFICATION
REQUIREMENT

PROCEDURAL HISTORY

On November 19, 1991, the Commission issued its ORDER SETTING REGULATORY REQUIREMENTS FOR OPERATOR SERVICES FROM TRANSIENT LOCATIONS in the above-captioned docket. In that Order the Commission established certain requirements for providers of alternative operator services (AOS). Among other things, AOS providers were required to begin stating their identities on bills sent to end-users. Providers unable to comply with this sub-carrier identification requirement were obliged to apply for a waiver from the Commission.

On November 24, 1992, the Commission issued its ORDER GRANTING AND DENYING REQUESTS FOR WAIVERS, ACCEPTING COMPLIANCE FILINGS, AND REQUIRING FONE AMERICA TO SHOW CAUSE. In that Order the Commission waived the sub-carrier identification requirement for a period of one year for 15 AOS providers listed in the Order. The Commission required those AOS providers to file a compliance filing at least 30 days prior to the expiration of the one year waiver period, notifying the Commission of the provider's plan to implement sub-carrier identification. Any AOS provider not able to meet the Commission's directive was required to apply for another waiver from the Commission.

On October 26, 1993, MCI Communications, Sprint, and US Link submitted requests for exemption from the sub-carrier identification requirement. These AOS providers argued that the exemption arose from the recently enacted Minn. Laws 1993, ch. 268, § 4, subd. 8 (1993), which placed them in the new category of "Telecommunications Carrier." If the Commission did not find that they were exempted under the new law, the parties asked for an extension of the waiver period for sub-carrier

identification.

Two billing/collection clearinghouses, Zero Plus Dialing, Inc. (ZPDI) and Operator Assisted Network, Inc. (OAN), filed requests for an extension of the waiver on behalf of the other AOS providers who had received a waiver in the Commission's November 24, 1992 Order or who had received AOS authority since that time, subject to this proceeding.

ZPDI and OAN stated that sub-carrier identification negotiations and testing are currently being conducted among the AOS providers and some local exchange companies and independent local exchange companies who actually bill for the AOS services. At this time, the feasibility of providing sub-carrier identification has not been determined in some exchanges. An extension of the waiver would lessen confusion for customers while the parties are pursuing implementation of sub-carrier identification.

The matter came before the Commission for consideration on November 23, 1993.

FINDINGS AND CONCLUSIONS

The Commission is aware that the Department of Public Service will soon be submitting a report on the implementation of the sub-carrier identification requirement. This report should provide valuable information regarding the logistics of providing sub-carrier identification. The Commission is also willing to allow AOS providers and telephone companies the time to conclude their negotiations and testing. For these reasons, the Commission will grant a 90-day extension of the waiver of the sub-carrier identification requirement. No party should be harmed by a limited extension of the waiver.

The Commission will also defer consideration of the requests for exemption from the sub-carrier identification requirement. Consideration of both issues will take place after the expiration of the 90 day waiver extension.

ORDER

1. The waiver of the sub-carrier identification requirement is extended for 90 days from the date of this Order for all AOS providers.

2. Consideration of the requests for exemption from the sub-carrier identification requirement is deferred.
3. This Order shall become effective immediately.

BY ORDER OF THE COMMISSION

Burl W. Haar
Executive Secretary

(S E A L)